

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**TEMIKA GRANDBERRY, Individually and
As Mother and Next of Kin of N.G., a Minor, and N.G.,
a Minor, TEMIKA GRANDBERRY and JUSTIN MOORE,
Individually and as Parents and Next of Kin of
J.M., a Minor, N.M., a Minor, and J.M., a Minor,**

Plaintiffs,

vs.

Civil Action No. 2:17-cv-2850

**DAYTON FREIGHT LINES, INC. and
DAVID E. LENTZ,**

Defendants.

**ORDER GRANTING JOINT PETITION FOR APPROVAL OF SETTLEMENTS
ON BEHALF OF FIVE MINORS**

This cause came to be heard on February 6, 2019, on Defendants Dayton Freight Lines, Inc. (“Dayton Freight”) and David E. Lentz (“Mr. Lentz”) and Plaintiffs Temika Grandberry (“Ms. Grandberry”), Justin Moore (“Mr. Moore”) and minors N.G., N.G., J.M., N.M. and J.M.’s Joint Petition for Approval of Settlements on behalf of Five Minors, which was submitted to the Court on January 30, 2019 for consideration; and upon statements of counsel, statements of Plaintiffs, statements of the five minors and upon the entire record in this cause;

FROM ALL OF WHICH, the Court finds:

1. Dayton Freight is an Ohio corporation which operates as a commercial carrier.
2. Mr. Lentz is an adult resident citizen of the State of Mississippi and works for Dayton Freight.

3. Ms. Grandberry, Mr. Moore and the five minor children are residents of the State of Tennessee. Plaintiffs are married. Plaintiffs and their five minor children are represented by Murray Wells with Wells & Associates, PLLC.

4. This lawsuit arose because of an automobile accident which occurred on December 1, 2016.

5. Plaintiffs and the minors filed their Complaint on November 2, 2017.

6. On November 1, 2018, the parties engaged in mediation and settled all claims on behalf of the Plaintiffs and the five minor children for \$70,000.

7. Plaintiffs and the minor children suffered minor injuries, if any, because of the accident.

8. Immediately after the accident, medical treatment was rendered to the minor children at Methodist Le Bonheur Healthcare.

9. The five minor children have fully recovered from any injuries suffered because of the accident.

10. Minor 1, N.G.'s apportioned settlement amount is \$7,250.00. Mr. Wells' reduced legal fee is \$1,812.50. N.G.'s medical liens and expenses were reduced to \$1,334.66. The net settlement received by N.G. is \$4,102.84.

11. Minor 2, N.G.'s apportioned settlement amount is \$5,200.00. Mr. Wells' reduced legal fee is \$1,300.00. N.G.'s medical liens and expenses were reduced to \$1,058.90. The net settlement received by N.G. is \$2,841.10.

12. Minor 3, J.M.'s apportioned settlement amount is \$4,425.00. Mr. Wells' reduced legal fee is \$1,106.00. J.M.'s medical liens and expenses were reduced to \$350.57. The net settlement received by J.M. is \$2,968.43.

13. Minor 4, J.M.'s apportioned settlement amount is \$4,600.00. Mr. Wells' reduced legal fee is \$1,150.00. J.M.'s medical liens and expenses were reduced to \$1,207.38. The net settlement received by J.M. is \$2,242.62.

14. Minor 5, N.M.'s apportioned settlement amount is \$5,350.00. Mr. Wells' reduced legal fee is \$1,337.50. N.M.'s medical liens and expenses were reduced to \$969.21. The net settlement received by N.M. is \$3,043.29.

15. Mr. Wells provided good and valuable services to Plaintiffs and the minor children regarding this litigation.

16. The parties settled any and all claims which Plaintiffs and the five minor children may have against Dayton Freight and Mr. Lentz and the settlement is memorialized by Settlement Agreement and General Release dated November 1, 2018.

17. Based on the above findings, the Court finds that the settlement is reasonable and in the best interest of the Plaintiffs and the five minor children.

FROM ALL OF WHICH, the Court Orders:

A. That the Settlement is approved;

B. That because of the Settlement, Dayton Freight Lines, Inc., its employees, insurer, and assigns and David E. Lentz are released from any and all further liability arising out of the claims and injuries alleged by Plaintiffs and the five minor children; and

C. That Mr. Wells shall deposit the settlement proceeds on behalf of the five minors with the Clerk of the United States District Court for the Western District of Tennessee to be held in an interest-bearing account until each of the five minors reaches the age of majority respectively.

IT IS SO ORDERED.

Entered this 8th day of April, 2019.

s/Thomas L. Parker
Thomas L. Parker
United States District Court

APPROVED AS TO FORM:

/s/Murray Wells
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